

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

LINDA FLINT EDGE,)	
Plaintiff,)	
)	
v.)	No. 04-12134 DPW
)	
NORFOLK FINANCIAL CORPORATION)	
and DANIEL W. GOLDSTONE,)	
Defendants.)	

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to Local Rule 16.1, the parties have conferred and respectfully submit the following joint statement:

1. Counsel for both parties have conferred pursuant to Fed. R. Civ. P. 26(f), Local Rule 16.1(B) and this Court's order.
 - a. The matters to be discussed at the scheduling conference on May 12, 2004 should include those outlined in ¶¶ 3 and 4 *infra*, which include scheduling matters.
 - b. The parties discussed a proposed pretrial schedule, outlined in ¶ 4 *infra*.
 - c. Plaintiff consents to full magistrate jurisdiction and trial by magistrate.
2. Neither plaintiff nor defendants consent to trial by magistrate at this time, but may do so if warranted as the case develops.
2. Plaintiff has presented a written settlement proposal to Defendant in accordance with Local Rule 16.1(C).
3. The parties discussed Plaintiff's request that both parties stipulate to the authenticity and admissibility of the letters attached to Plaintiff's Complaint as Exhibits 1 through 4 for use at trial and in

motions. Defendant does not at this time agree to so stipulate, but the parties will continue to confer regarding this issue.

4. Proposed pretrial schedule (Local Rule 16.1(D)). The parties propose the case management plan below, subject to further motions as presented by the parties jointly or individually.

Discovery: Discovery will be phased and will proceed according to the following schedule. The parties reserve the right to raise any and all objections, as appropriate and as necessary, to any written and/or oral discovery.

A. Both parties have served their Initial Discovery Disclosures.

B. Phase I Initial Assessment Discovery, written discovery to be served and depositions to be completed within 180 days of the Court's decision on Defendant's pending Motion to Dismiss or, Alternatively, for Summary Judgment will include, but is not limited to:

- (1) All initial, automatic disclosures and document production
- (2) Interrogatories and Requests for Document Production
- (3) Depositions of parties and their agents or former agents
- (4) Requests for Admissions
- (5) A conference to discuss settlement potential

C. Phase II Discovery for Trial Preparation, written discovery to be served and depositions to be completed within 120 days after a ruling on all dispositive motions will include, but is not limited to:

- (1) Discovery of experts
- (2) Any additional Interrogatories and Requests for Document Production
- (3) Any additional depositions

(4) Any additional Requests for Admissions

Dispositive motions: All dispositive motions to be filed within 90 days following the closure of all discovery. Any responses or motions under Fed. R. Civ. P. 56(f) to reopen discovery shall be filed within the period established to respond or reply to any dispositive motion.

Final Supplementation: Final supplementation of expert Answers to Interrogatories within 60 days after disposition of motions and at least 90 days before trial.

Pretrial conference: Set by the Court after ruling upon dispositive motions.

4. The certifications required by Local Rule 16.1(D)(3) have been filed by both parties with the Court under separate cover.

Respectfully submitted,
For the Plaintiff

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